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In re Application of:	:	
TSATSANIS, Michail, et al.	:	
U.S. Application No.: 10/517,094	:	DECISION ON RENEWED
PCT No.: PCT/US2003/018129	:	PETITION UNDER
International Filing Date: 06 June 2003	:	37 CFR 1.47(a)
Priority Date: 07 June 2002	:	
Attorney's Docket No.: VOY-024US	:	
For: METHOD AND SYSTEM FOR	:	
PROVIDING A TIME EQUALIZER	:	
FOR MULTILINE TRANSMISSION	:	
IN COMMUNICATIONS SYSTEMS	:	

In a decision mailed by this Office on 25 August 2006, applicants' petition under 37 CFR 1.47(a) was dismissed for failure to satisfy all the requirements of a grantable petition. Specifically, applicants had not provided an acceptable showing that the non-signing inventor refuses to execute the application or cannot be located after diligent effort.

Applicants' original petition included evidence that a copy of the application and a request for signature had been mailed to the last known address of the non-signing inventor, and that no response had been received. However, as set forth in the previous decision, applicants had not provided "any evidence to confirm that the address being used is the current address of the non-signing inventor, as required before the inventor's failure to respond to a mailing at such address can be considered a refusal to sign the application." The decision went on to state the following:

Applicants must provide additional evidence to confirm the inventor's constructive refusal to sign (i.e., evidence confirming that the request for signature and application papers has been delivered to the inventor at his current address). If this cannot be confirmed, applicants must provide evidence that a diligent effort to identify a current address for the inventor and contact him at such address has been made (i.e., internet searches, etc.).

On 19 October 2006, applicants filed the "Renewed Petition Under 37 CFR 1.47(a)" considered herein. The renewed petition includes a declaration executed by the non-signing inventor in October 2004 in a separate U.S. application; in that declaration, the inventor identifies his address as the address used by applicants in their mailings here. However, the

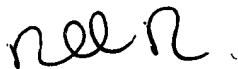
earliest mailing in the present case took place in April 2006, well over a year after the inventor signed the previous declaration. Accordingly, the declaration executed by the inventor in October 2004 is not acceptable evidence that the address listed thereon was still current in April 2006 or thereafter. Applicants have therefore failed to provide the required confirmation that the inventor has been presented with the application and signature request in the present case. In addition, applicants have failed to provide any evidence that a diligent effort to "identify a current address for the inventor and contact him at such address has been made (i.e., internet searches, etc.)."

Based on the above, the renewed petition does not provide the additional materials required to satisfy the remaining element of a grantable petition, as discussed in the previous decision and in MPEP section 409.03(d). The renewed petition is therefore **DISMISSED** without prejudice.

If reconsideration on the merits of the petition is desired, a proper response must be filed within **TWO (2) MONTHS** of the mail date of the present decision. Any request for reconsideration should include a cover letter entitled "Second Renewed Petition Under 37 CFR 1.47(a)" and must include the additional materials required to satisfy the remaining element of a grantable petition, as discussed above and in the previous decision. No additional petition fee is required.

Failure to file a proper response will result in abandonment of the application. Extensions of time are available under 37 CFR 1.136(a)

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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